

Questionnaire Responses
Section A
Common regulatory frameworks – already completed

Austria
* What is the name of the common regulatory framework?
<i>Answer:</i> "Monitoring Verfahren"; IT Tool for electronic monitoring of duration of permitting procedures in the administration of Lower Austria; regulatory framework is regional organisational law.
* Who is the main contact for this?
<i>Answer:</i> Mrs. Maria Rieder Innovation and Training T: +43-(0)2742-9005 / 12477 Maria.Rieder@noel.gv.at Office of Lower Austria Government Landhausplatz 1 3109 St. Poelten Austria
* When did it start and finish?
<i>Answer:</i> Phase 1, Concept and Implementation phase on district level: 1996 Phase 2, Concept and Implementation phase on regional level: since 2001
If available, please provide a link to relevant information or documents.
<i>Answer:</i> Information in German is available, but only on request
* Why was it put in place ¹ ?
<i>Answer:</i> Political agreement to improve permitting procedure on district levels (21 district authorities and on regional administration)
* What European Directives does it cover?
<i>Answer:</i> A number of EU directives require issuing of permits. The project covers all these EU directives for which in the federal system of Austria competence for permitting falls under competency of the regional administration.
* What national/regional legislation/regulation does it cover?
<i>Answer:</i>

¹ E.g. compliance with Lisbon agenda, pressure group lobbying, political or economic pressures etc.

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<p>The intention has been to cover all national/regional legislations which are transposition acts of EU directives and national/regional acts for which an EU <i>acquis</i> doesn't exist.</p>
<p>Has it involved any joint working between Member States? If so which countries and why?</p>
<p><i>Answer:</i> No, It has been done only within the regional administration. But there are similarly systems in all other regional administrations in Austria.</p>
<p>Which stakeholders/organisations were involved in its implementation?</p>
<p><i>Answer:</i> Chamber of Commerce, business companies</p>
<p>* What were its objectives²?</p>
<p><i>Answer:</i> Main objective has been shortening of duration of procedure foreseen in all types legislations (e.g. Legislation on nature, waste, EIA, IPPC, agriculture, space planning, etc.); 80% of application should be decided within 13 weeks.</p>
<p>Please describe the common regulatory framework including:</p> <p>* 1. An overview Already 1996 the Administration of Lower Austria has set up an IT system to assess duration of permitting procedures in all kind of legislations. Main focus in Phase 1 has been 21 district authorities, so called <i>Bezirkshauptmannschaften</i>. From 2001 onwards the system has been introduced step by step into the central administration of the Region. The system consists of an assessment of duration of permitting procedure with the help of an IT system. This helps to get data on, to identify delays in a procedure and develop enhancements (e.g. standardised forms, guideline, one stop shop, etc.)</p> <p>2. A brief description of any stages in its development The project consists of three stages. The conceptual phase has been used to disseminate information on the projects across different units, staffs in charge of permit procedures. The assessing phase in order to get data on duration of procedures and to identify shortcomings, weaknesses and in Phase 3 to improve the system, which has lead to guidelines, to one stop shops or concentration of permitting procedures.</p> <p>* 3. A brief description of the <i>common</i> element³ The project is related to a permitting phase.</p> <p>4. A brief description of whether existing legislation was amended or replaced and how was this done (e.g. part of pre-planned legislative change or a free standing action/activity)?</p>
<p><i>Answer:</i></p>
<p>What were the costs⁴ and benefits⁵ of the common regulatory framework? Please provide any data or assessments if available.</p>

² E.g. for environmental protection or to reduce administrative burdens etc.

³ E.g. permitting, inspections, enforcement or a legislative, regulatory or administrative process etc.

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<p><i>Answer:</i> Costs for the project has been created through the design and development of a new IT tool, which has to be made consistent to an existing internal used administrative filing program. Benefits are the availability of data on duration of permitting procedures in a transparent form; identification of delays, burden, of a procedure to allow efficient improvements; efficient distribution of staff according to demand.</p>
<p>Were big investments needed to implement it and by whom?</p>
<p><i>Answer:</i> Investment has been needed for the development of the IT tool and for staffs running the project.</p>
<p>* Were there any barriers or hurdles to implementation? Were these expected or unforeseen?</p>
<p><i>Answer:</i> No, It required a good coordination with the administrative units</p>
<p>* How successful was the common regulatory framework? Please provide any data or assessments if available.</p>
<p><i>Answer:</i> Data for several years are already available on district levels and are going to be available on central level too. An evaluation of data has started to improve duration of permitting procedure (80% within 13 weeks). At the beginning there were only 75 % in time, now there are 90 % in time.</p>
<p>Was there anything in particular that contributed to its success?</p>
<p><i>Answer:</i> For the starting phase a good coordination between units involved in the project has been essential. Essential for the success of the project has been the data availability on duration of permitting procedures in consistent form.</p>
<p>* Could changes at a European level have helped its implementation? If so what and by whom?</p>
<p><i>Answer:</i> A reasonable duration of procedure is essential for the acceptance of EU legislation by operators; otherwise there is a risk that activities are done without a proper permit. In AT the permitting procedure is laid down in federal administrative which is applicable for all kind of administrative permits of EU environmental legislation. Provisions are foreseen to ensure that decision has to be made within reasonable time. For good implementation it is crucial to find the right balance between correct and complete application of legislation and on providing permits in reasonable time to</p>

⁴ E.g. investment and resources for implementation, impacts of change, perception of a reduction in environmental protection etc.

⁵ E.g. improved environmental protection, monetary savings, reduced administrative burdens, improved compliance, ease of compliance, more effective and targeted use of resources, change of focus from legislation to guidance etc.

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applicants. On EU level it might be useful also to consider necessary implementation steps, when new legislation is going to be adopted.
* Are there any other lessons that can be learned?
<i>Answer:</i> No

Spain
<i>IKS eeM System</i>
<p><i>Description:</i> Within the 2006-2010 Strategic Plan's framework (Modernization, Management, Quality and the Automation of Systems) and boosted by the Basque Government's Department of the Environment and Regional Planning, the Environmental Information Integral Management System, IKS eeM System which makes up the basic central theme of the information transaction processes between entities (entities like any external agent to the organization, regardless of its legal status) and the Autonomous Basque Community's Environmental Administration.</p> <p>The Electronic Management System includes all the information that the entities (any external agent) must provide the Administration for environmental control, so that it serves to cover all the information transactions of both System clients (external entities) as well as the Department itself with said entities and/or with other administrations (local, state, Ministry of the Environment) and/or from the European Community, and at the same time makes up the support for the electronic transmission of the administrative files. On the one hand, said entities will also be able to obtain the necessary indicators that define their environmental behaviour from the information contained in the Management System, on the other, the administration will have the necessary information to define and implement environmental policies.</p>

Section B
Common regulatory frameworks - in progress or planned

Austria
* What is the name of the common regulatory framework?
<p><i>Answer:</i></p> <p>Project: EDM – Electronic Data Management in the environmental field</p> <p>Regulatory framework: Federal Law on Sustainable Waste Management (Waste Management Act 2002) and other environmental regulations.</p>
* Who is the main contact for this?
<p><i>Answer:</i> Mr. Franz Mochty, Austrian Federal Ministry of Agriculture, Forestry, Environment and water management (Ministry of Live), 1010 Vienna Stubenbastei 5</p>
* When did (or will) it start and when is it planned to finish?
<p><i>Answer:</i> In the framework of the intensified eGovernment efforts of the Austrian Federal Government, the Ministry of Live put into fare the regulatory basis back in</p>

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<p>2002 to create the electronic data management (EDM) system.</p> <p>The first application was set up in 2005.</p> <p>The actual design and development plan envelops the project period until 2015.</p>
<p>If available, please provide a link to relevant information or documents.</p>
<p><i>Answer:</i> www.edm.gv.at</p>
<p>* Why is the common regulatory framework being put in place?</p>
<p><i>Answer:</i></p> <ul style="list-style-type: none"> ▪ Contribution to i2010, the EU policy framework promoting positive effects of information and communication technologies (ICTs) to the economy, society and personal quality of life; ▪ Implementation an integrated EGovernment system for replacing conventional paper based records and reports (including applications submitted to the authorities) ▪ Reduction of administrative burden on authorities and companies;
<p>* What European Directives does it cover?</p>
<p><i>Answer:</i></p> <ul style="list-style-type: none"> ▪ Regulation (EC) No. 1013/2006 on shipments of waste ▪ Directive 2006/123/EC on services on the internal market
<p>* What national/regional legislation/regulation does it cover?</p>
<p><i>Answer:</i> Waste law, landfill-, old vehicle-,electronic waste-,battery-,package-,waste incineration-,compost-,emissions, emissions certificate regulation, PRTR</p>
<p>Does it involve any joint working between Member States? If so which countries and why?</p>
<p><i>Answer:</i> The Electronic Data Management in Environmental and Waste Management has been granted several times as “best practise project” already. In case of the EDM sub-project EUDIN, an initiative which was launched and developed as a joint project by the EU Member States Belgium and the Netherlands, this intention was chosen amongst the most innovative project for administrative simplification by a study of the European Commission (Best Project) and was presented at the BEST-conference in Brussels 2006.</p> <p>The aim of the EUDIN-project is to set up an electronic system that renders possible an electronic exchange of the notification form and the transport documents. One basic objective of the EUDIN-project is to offer a practical way for the companies to announce their waste shipments electronically, fulfilling the legal requirements. Waste exporting and importing companies are involved as pilot users of the new system. Representatives of the administrative body (f.ex. department responsible for waste shipment within the Austrian Ministry of Environment) are members of the project team. Stakeholder views have been and will be integrated, especially regarding usability aspects. The extent is limited by both time and money.</p>

Which stakeholders/organisations are involved in its implementation?
<i>Answer:</i> Federal and regional entities, Chamber of commerce, Industry organisation, companies, NGOs, Environmental Protection agency (UBA).
* What are its objectives?
<p><i>Answer:</i></p> <p>To Establish an integrated eGovernment system for the environmental sector providing tools for electronic recording of governmental tasks:</p> <ul style="list-style-type: none"> ▪ Support for applications, permitting processes, control tasks ▪ User-support in applying complex regulations ▪ Reduction of administrative burdens ▪ Transparency, clarity, traceability
<p>Presently about 40,000 people from the environmental and waste management sector, which are subject to registration and notification, are recorded. Recorded master data is available to those registered as well as to the relevant competent authorities; for public, general query tools have been set up. To registered users, EDM offers an IT system which satisfies the requirements of the portal group concept, with single sign-on for master data management and various applications from the environmental and waste management sector.</p>
<p>Description of the common regulatory framework:</p> <p><i>Answer:</i> The Electronic Data Management in Environmental and Waste Management is the fundamental e-Government Initiative of the Austrian Federal Ministry of Agriculture, Forestry, Environment and water management. Starting with waste management, registration and reporting obligations are being computerised. Apart from waste management, EDM supports also notifications to the European Pollutant and Transfer Register (ePRTR), the recording of industrial plants participating in emissions certificate trading (Act on Emissions Certificate Trading) as well as notifications concerning the marketing of fluorinated industrial pollutants (HFC). The Radiation Register and the notifications of emissions into surface water bodies (EMREG-OG Emission Register – Surface Water Bodies) are process of being computerised.</p> <p>Both the registration of all natural and legal persons subject the notification requirement and the input of electronic notifications can be handled via the EDM portal www.edm.gv.at. For authorities, integration into the “Portalverbund” (Portal Group) has been prepared.</p> <p>The centre of EDM is the master data register eRAS. It has been designed according to international standards and permits recording master data of industrial plants and persons across legal areas and depicting plant- and person-specific authorisations in a structured form (e.g. content of notices of approval).</p> <p>Development of eRAS also included the integration of a WebGIS solution, which permits the geographical identification (mapping) of recorded industrial plants and operating facilities by their holders.</p> <p>The progressive extension of the functions of eRAS also includes the linkage to other eGovernment registers, for example the corporate register to harmonise the master data of enterprises already recorded. Authorities are provided with an</p>

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efficient tool for recording person- and plant-specific authorisations; the generally accessible query tools are improved continuously.

The underlying legislation of the EDM-Programme is especially the Federal Law on Sustainable Waste Management (Waste Management Act 2002) as the set up of the electronic register is characterized as follows:

§ 22. (1) The federal Minister of Agriculture, Forestry, Environment and Water Management shall after hearing the governors of the provinces,

1. set up and keep an electronic register for the waste-relevant master data

a. of original waste producers

b. of waste collectors and treatment operators and treatment plants, including the relevant data from the notice of authorisation, and

2. an electronic register with the data to be forwarded to the relevant competent authority in accordance with this Federal Act and in accordance with the Waste Shipment Regulation on import and export of waste,

And establish classification tables for types of waste, treatment methods and types of plants. A number shall be used for identification, which shall be an internationally standardised, uniform identification for locations and articles, and which shall be suitable for integration in electronic business data exchange where possible. (...)

Further regulations are included in the specific ordinances for waste management and f.ex. in the Regulation (EC) No. 166/2006 concerning the Establishment of a European Pollutant Release and Transfer Register or in the EMREG-OG Emission Register – Surface Water Bodies.

What do you think the costs ^{Error! Bookmark not defined.} and benefits of the common regulatory framework will be?

Answer:

Benefit: reduce administrative burden

Costs: ~ 40 Mio. € till 2015

The project consists of 18 sub projects with high level of interference. So the reduction of administrative burden will increase with the progression of numbers of projects online. In the start up phase administrative work is needed for the initial set up of the registers.

Reduction of costs in future:

> 10 Mio. € for the economy sector

> 5 Mio € for the government sector

Are big investments needed to implement it and by whom?

Answer: Yes, the EDM-Project is financed by the Austrian Federal Ministry of Agriculture, Forestry, Environment and water management

* Are there any potential barriers or hurdles to implementation?

Answer: The biggest hurdle to implementation is a reduction of financial resources

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* Could changes at a European level help implementation? If so what and by whom?

Answer: Specification of the obligatory usage of UN/CEFACTS international data- and messaging standards for registration and reporting obligations.

* Are there any other lessons that can be learned so far?

Answer: Apart from the situation in Austria, current developments at the European level must also be taken in consideration. Apart from EC-reporting obligations which can be fulfilled in a more efficient way, the Council Regulation on Waste Management Statistics demands additional responsibilities regarding waste data recording by companies. The waste recording system must be designed in a way that permits obtain the data required by the EU. While the Statistics Regulation does not stipulate any specific method of data compilation and also admits administrative data as a source, it will definitely call for very comprehensive information on quantities and channelling of waste, essentially in the European development to generate different data type requirements in different regulations.